

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROGER R. CRANE, JR,

Plaintiff,

- vs -

POETIC PRODUCTS LIMITED,

Defendant.

POETIC PRODUCTS LIMITED,

Counterclaimant,

- vs -

ROGER R. CRANE, JR,

Counterclaim Defendant.

Case No. 07 Civ. 7063 (BSJ) (FM)

NOTICE OF MOTION

To: Tamara Carmichael, Esq.
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PLEASE TAKE NOTICE that, upon the accompanying Declaration of Roger R. Crane, Jr., with exhibits, the Declaration of Tamar Y. Duvdevani, with exhibits, Plaintiff-Counterclaim Defendant's Memorandum of Law, Plaintiff-Counterclaim Defendant's 56.1 Statement, and all prior pleadings and proceedings herein, Plaintiff-Counterclaim Defendant Roger R. Crane Jr. ("Crane") will move before this Court for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure (1) granting summary judgment in favor of Crane and declaring that Crane's

play *The Last Confession* does not infringe Defendant-Counterclaimant Poetic Products' book *In God's Name: An Investigation Into The Murder Of Pope John Paul I*, and (2) dismissing all counterclaims against Crane.

Dated: New York, New York
November 13, 2007

NIXON PEABODY LLP

By: /s/ Frank H. Penski
Frank H. Penski (FP-9221)
Tamar Y. Duvdevani (TD-7603)

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*Attorneys for Plaintiff-Counterclaim Defendant
Roger R. Crane, Jr.*